

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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**ARTURO REYES, BRYON GOINS and  
ARMANDO DE LA FUENTE PERALTA, on behalf  
of themselves and all others similarly situated,**

**08 CV 02494 HB**

**Plaintiffs,**

**-against-**

**BUDDHA-BAR NYC; LITTLE REST TWELVE,  
INC.; NINA ZAJIC; DAVID KAY; and ABDUL  
RAHMAN EL JASTIMI a/k/a PETER JASTIMI,**

**STIPULATION AND  
ORDER WITHDRAWING  
MOTION TO DISMISS  
AND STAYING  
PROCEEDINGS**

**Defendants.**

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**WHEREAS**, the attorneys for the parties to the above-referenced action have agreed to a brief stay of proceedings, subject to the Court's approval, in order to permit the opportunity to meet and confer regarding the issues and the allegations and determine whether a settlement can be achieved:

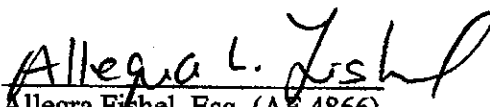
**IT IS HEREBY STIPULATED AND AGREED**, by and between the undersigned counsel for Plaintiffs Arturo Reyes, Bryon Goins and Armando de la Fuente Peralta (collectively "Plaintiffs") and Defendants Little Rest Twelve, Inc. d/b/a Buddha Bar NYC, Nina Zajic, David Kay and Abdul Rahman El Jastimi a/k/a Peter Jastimi (collectively "Defendants"), that Defendants hereby voluntarily withdraw their Motion to Dismiss without prejudice to renewal;

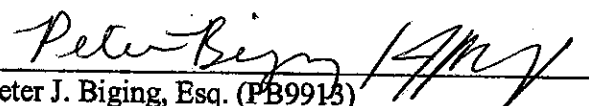
**IT IS FURTHER STIPULATED AND AGREED** that the time within which Defendants may file a responsive pleading or re-file their Motion to Dismiss will be stayed for thirty (30) days from the date of this Stipulation and Order (i.e., through August 18<sup>th</sup>) while the parties meet and confer regarding the possibility of reaching a settlement of the claims;

**IT IS FURTHER STIPULATED AND AGREED** that should Defendants re-file their Motion to Dismiss, the Plaintiffs will file an Amended Complaint, and that Plaintiffs will have until September 5<sup>th</sup> to do so (but may file said Amended Complaint at any time prior to that date); and

**IT IS FURTHER STIPULATED AND AGREED** that this document may be signed in counterparts, and facsimile signatures shall be deemed originals for purposes of this stipulation.

Dated: New York, New York  
July 17, 2008

  
Allegra Fishel, Esq. (AF 4866)  
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Jastimi a/k/a Peter Jastimi  
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SO ORDERED:

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Hon. Harold Baer, U.S.D.J., S.D.N.Y.